

11-04-03

RCE/3732

HDP/SB/30 (10-01) based on PTO/SB/30



**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

**Address to:  
Mail Stop RCE  
Director of the United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450**

Application Number	10/068,135
Filing Date	February 5, 2002
First Named Inventor	David Wayne Schroeder
Art Unit	3732
Examiner Name	Anuradha Ramana
Attorney Docket Number	5490-000220

11-17-03  
#6/24r  
nog  
RCE

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.**

**1. Submission required under 37 C.F.R. 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Fee Transmittal; postcard

**2. Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

**3. Fees** The RCE fee under 37 C.F.R. 1.17(e) is required by 37 C.F.R. 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments to Deposit Account No. 08-0750
- i. ☐ RCE fee required under 37 C.F.R. 1.17(e)
- ii. ☐ Extension of time fee (37 C.F.R. 1.136 and 1.17)
- iii. ☒ Other Any deficiency for a fee required under 37 CFR 1.16 or 1.17.
- b. ☒ Check in the amount of \$ 996.00 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**RECEIVED**  
**NOV 07 2003**  
**TECHNOLOGY CENTER R3700**

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**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print /Type)	Richard W. Warner / Christopher A. Eusebi	Registration No. (Attorney/Agent)	38,043 / 43,141
Signature		Date	November 3, 2003

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the "Express Mail Post Office To Addressee" service under 37 C.F.R. 1.10, **Express Mail Label No. EL 623 310 894 US**, on the date indicated above and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450

Name (Print /Type)	Richard W. Warner / Christopher A. Eusebi
Signature	
Date	November 3, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL  
for FY 2004**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$) 996**Complete if Known**

Application Number	10/068,135
Filing Date	February 5, 2002
First Named Inventor	David Wayne Schroeder
Examiner Name	Anuradha Ramana
Art Unit	3732
Attorney Docket No.	5490-000220

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money ☐ Other ☐ None  
Order☐ Deposit Account:Deposit  
Account  
Number  
08-0750Deposit  
Account  
Name  
Harness, Dickey & Pierce, P.L.C.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) during the pendency of this application  
☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					<b>(\$)</b> 0

**2. EXTRA CLAIM FEES**

Total Claims	23	-20 **	=	3	X	18	=	54
Independent Claims	5	-3 **	=	2	X	86	=	172
Multiple Dependent					X		=	0

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) 226

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17 (q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 770

TECHNOLOGY CENTER R3700

**SUBMITTED BY****Complete (if applicable)**

Name (Print/Type)	Richard W. Warner	Registration No. Attorney/Agent	38,043	Telephone	248 641-1600
Signature	Christopher A. Eusebi		44,672	Date	November 3, 2003

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**PATENT**

*T.H.*  
*11-17-03*  
*# 7/B*  
*perch*

Application No.: 10/068,135  
Filing Date: February 5, 2002  
Applicant: David Wayne Schroeder  
Group Art Unit: 3732  
Examiner: Anuradha Ramana  
Title: COMPOSITE ACETABULAR COMPONENT  
Attorney Docket: 5490-000220

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P.O. Box 1450  
Alexandria, Virginia 22313-1450

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**PRELIMINARY AMENDMENT**

Sir:

In response to the Final Office Action mailed August 1, 2003, please amend the application as follows and consider the remarks set forth below.

**Amendments to the Claims** begin on page 2 of this paper.

**Remarks** begin on page 10 of this paper.

11/05/2003 RHARIS1 00000118 10068135

02 FC:1201  
03 FC:1202

172.00 OP  
54.00 OP